

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 2355 of 1997

For Approval and Signature:

Hon'ble MR.JUSTICE M.R.CALLA Sd/-

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1. Whether Reporters of Local Papers may be allowed to see the judgements?
2. To be referred to the Reporter or not?
3. Whether Their Lordships wish to see the fair copy of the judgement?
4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder?
5. Whether it is to be circulated to the Civil Judge?
Nos. 1 to 5 No.

SANDHI HALIMA DAUD

Versus

STATE OF GUJARAT

Appearance:

MR AR SHAIKH for Petitioners

MR.BD DESAI, learned AGP for respondent

Nos. 1 and 2. [as directed by the Court].

MR.PV HATHI FOR MS KHYATI P HATHI for Respondent No. 3

CORAM : MR.JUSTICE M.R.CALLA

Date of decision: 06/05/97

ORAL JUDGEMENT

Mr.B.D.Desai, learned Additional Government Pleader has come with the Demand Draft of due amount of Rs.58,784/- in the name of the Registrar, High Court of Gujarat. He may deposit this Demand Draft in the registry. The petitioners herein are the legal heirs of

deceased workman and the amount was due under the certificate issued by the Collector way back in the year 1994 against the award, which had been passed in the year 1992, while the concerned workman had died in 1988. Since the due amount of compensation is being deposited through the Demand Draft in the registry of this Court, it is ordered that the petitioners herein who are legal heirs of the deceased workman shall be entitled to withdraw this amount. Mr. Shaikh who represents all the five petitioners states that the widow of the deceased workman i.e. Sandhi Halima Daud may be permitted to withdraw the whole amount on behalf of the petitioners. The registry may therefore hand over the Demand Draft of the due amount in the name of Sandhi Halima Daud for herself and for rest of the petitioners after the realisation of the amount of this Demand Draft at the earliest possible opportunity. The learned Counsel for the petitioners Mr. Shaikh may take the Demand Draft from the registry on behalf of all the petitioners to be handed over to Sandhi Halima Daud. Whereas the whole amount as claimed in the petition stands recovered in the manner as aforesaid no further orders are required to be passed. The petition is decided accordingly. Rule is hereby discharged. No order as to costs.
